



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641
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WILLIAM J. BUCKLEY, JR., P.E.
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

January 31, 2005

Honorable Mark D. Boughton
Common Council ✓
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Boughton and Common Council Members:

18 – 20 Padanaram Road
Drainage Easement

Enclosed please find a copy of the easement map and proposed legal description prepared by our department for a storm drainage easement at the above noted location. The easement required is as follows:

Lot No. H10123 Elia Y. Assaf
18-20 Padanaram Road

This easement is required to formally transfer to the City a drainage easement relative to an existing storm drain that drains from the Ezra Road/Juniper Ridge Road area to Padanaram Brook.

We would appreciate if you would authorize the Corporation Counsel's office to take the steps necessary to acquire this easement.

If you have any questions, please give me a call.

Very truly yours,

William J. Buckley, Jr., P.E.
Director of Public Works/City Engineer

Encl.

C: Eric L. Gottschalk, Esq., with encl. (3 copies each)



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury seeks to formally accept a drainage easement relative to an existing storm drain from Ezra Road/Juniper Ridge Road area to the Padanaram Brook; and

WHEREAS, it will be necessary to acquire interest in and to real property as set forth in Schedule A attached hereto containing the legal description of the property involved; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the owner of said property upon the amount, if any, to be paid for the interest to be taken in and to the real property listed on said schedules.

NOW, THEREFORE, BE IT RESOLVED THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire on or prior to September 1, 2005, the property interest as set forth in the attached legal description either by negotiation or by eminent domain through the institution of suit against the named property owner, his heirs, executors, successors and assigns and his respective mortgage holders and encumbrances, if any.

STORM DRAINAGE EASEMENT
ELIA Y. ASSAF
18-20 PADANARAM ROAD (TAX ASSESSOR'S LOT No. H10123)

A certain piece or parcel of land containing 3,124 square feet (.0717 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at Padanaram Road and known as Tax Assessor's Lot No. H10123 (portion of) bounded and described as follows:

Commencing at a point on the westerly street line of Padanaram Road, which point is the northeasterly corner of land of the Grantor, thence running northerly along the westerly street line of Padanaram Road the following courses and distances; N. 38° 07' 21" W. a distance of 38.24' to a point, thence N. 45° 41' 11" W. a distance of 50.23' to a point, thence turning and running westerly along the northerly boundary line of the Grantor the following courses and distances; N. 57° 45' 30" W. a distance of 23.08' to a point, thence N. 68° 08' 30" W. a distance of 9.85' to a point, said point being the northeasterly corner of land herein described and the true point or place of beginning, thence turning and running southerly through land of the Grantor S. 35° 11' 22" W. a distance of 159.13' to a point, thence turning and running westerly along the southerly boundary line of the Grantor the following courses and distances; N. 50° 55' 30" W. a distance of 16.22' to a point, thence N. 65° 55' 10" W. a distance of 3.89' to a point, thence turning and running northerly through land of the Grantor, N. 35° 11' 22" E. a distance of 154.05', thence turning and running easterly along the northerly boundary line of the Grantor S. 68° 08' 30" E. a distance of 20.55' to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of RDB Associates, LLC.

Easterly : By other land of Grantor.

Southerly : By land now or formerly of Richard P. Schnell
and Pierrette C. Schnell.

Westerly : By other land of Grantor.

For a more particular description reference is made to a map entitled "Map Showing Proposed 20 Ft. Wide Drainage Easement Through the Land of Elia Y. Assaf to be acquired by the City of Danbury 18-20 Padanaram Road Danbury, Connecticut Scale: 1" = 20' January 27, 2005" prepared by the Engineering Department of the City of Danbury and certified substantially correct by Michael S. Pierwola, R.L.S. No. 70139, which map is to be filed in the Danbury Land Records.

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